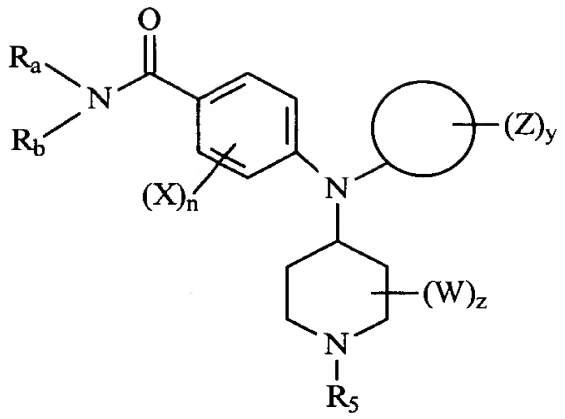


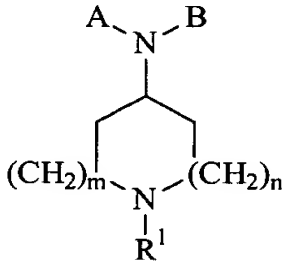
(IV)

where the structural variables are defined in Claim 17. An important feature of the claimed compounds is that the piperidine ring thereof is substituted with at least one alkyl group W, since z is an integer from 1 to 8 (see Claim 17).

The present invention also relates to a method of binding opioid receptors, comprising administering an effective amount of the compound of described above to a mammalian subject in need thereof. See Claim 26.

The rejection of the claims under 35 U.S.C. §102(e) over Pelcman (U.S. Patent No. 6,153,626) is believed to be obviated by the amendment submitted above. Pelcman does not describe or suggest the claimed compounds.

Pelcman describes compounds represented by the following formula:



a

where

m is 0 or 1 and

n is 1 or 2.

Thus, the compounds described by the reference are ***unsubstituted*** on the piperidine ring.

In contrast, the piperidine ring of the claimed compound is substituted with an alkyl group(s). Pelcman fails to describe the claimed compounds, because all of the compounds described in this reference are unsubstituted on the piperidine ring. Moreover, the reference fails to suggest the claimed compounds. There is no teaching or even a suggestion in Pelcman to substitute the piperidine ring with an alkyl group. Therefore, the reference does not suggest the claimed compounds or methods. Accordingly, Claims 17-22 and 26-39 are not anticipated by or obvious over Pelcman. Withdrawal of this ground of rejection is respectfully requested.

Since the claimed compounds and methods are neither described by nor suggested by Pelcman as discussed above, the claims of the present application do not interfere with Claims 1-28 of Pelcman. In other words, the claimed compounds and methods are patentably distinct from Claims 1-18 of Pelcman.

Regarding the Abstract, Applicants attach an Abstract hereto.

Regarding the Restriction Requirement, the non-elected claims have been canceled. Accordingly, the pending claims relate to the elected subject matter.

Q

Applicants submit that the application is in condition for allowance. Early notice to this effect is earnestly solicited.

Respectfully submitted,

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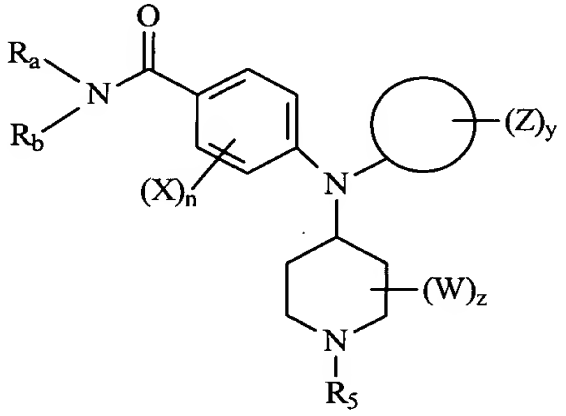
Serial No.:09/623,872
Amendment Filed On: November 14, 2001

IN THE CLAIMS

Please amend the claims as follows:

--17. (Amended) A compound represented by formula (IV):



(IV)

where

R_a and R_b are each, independently, hydrogen or an alkyl group, or R_a and R_b, together, form a cycloalkyl group;

each X is, independently, an alkyl group;

O is a five- or six-membered aryl or heteroaryl group;

each Z is, independently, an alkyl group, -OH, -OR, halogen, $-CF_3$, -CN, $-NH_2$, -NHR, or $-N(R)_2$, wherein when Z is $-N(R)_2$ the R groups may, together, form a cyclic alkyl group;

each R is, independently, an alkyl group, an aryl group, or an alkaryl group;

each W is an alkyl group;

a

n is 0 or an integer from 1 to 4;

y is 0 or an integer from 1 to 5;

z is [0 or] an integer from 1 [0] to 8; and

R_5 is an alkyl group, alkenyl group, or aralkyl group,

or a pharmaceutically acceptable salt thereof.

18. (Amended) The compound of Claim 17, wherein

R_a and R_b are each, independently, hydrogen or a C_{1-8} alkyl group, or R_a and R_b, together, form a cycloalkyl group;

each X is, independently, a C_{1-8} alkyl group;

O is a five-membered heteroaryl group or a six-membered aryl or heteroaryl group;

each W is a C_{1-8} alkyl group;

n is 0, 1 or 2;

y is 0 or an integer from 1 to 3;

z is [0] an integer from 1 to 4; and

R_5 is a C_{1-8} alkyl group, a C_{3-8} alkenyl group, or an aryl-C_{1-4} alkyl group.--

Claims 1-16 and 23-25 are canceled.

Claims 27-41 are added.